

Amendments

The Examiner is respectfully requested to enter the following amendments.

In the Claims:

Please cancel, without prejudice to or disclaimer of the subject matter thereof, claims 17, 19, 34, 52, 54, 72-74, 82, 83, 90, 91, 106, 107, 115-117, 119, 125, 141-143, 153-155, 162-164, 174-175, 196, and 197. Applicants reserve the right to pursue the canceled claims in related applications.

Please amend the claims as follows:

22. (Once Amended) An isolated polynucleotide comprising a first nucleic acid at least 90% identical to a [reference] second nucleic acid encoding amino acids 24 to 468 of SEQ ID NO:2.

23. (Once Amended) The isolated polynucleotide of claim 22, wherein said first nucleic acid is at least 95% identical to said [reference] second nucleic acid.

24. (Once Amended) The isolated polynucleotide of claim 22, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes amino acids 24 to 468 of SEQ ID NO:2.

26. (Once Amended) The isolated polynucleotide of claim 22, wherein said [reference] second nucleic acid encodes amino acids 2 to 468 of SEQ ID NO:2.

27. (Once Amended) The isolated polynucleotide of claim 26, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes amino acids 2 to 468 of SEQ ID NO:2.

29. (Once Amended) The isolated polynucleotide of claim 26, wherein said [reference] second nucleic acid encodes amino acids 1 to 468 of SEQ ID NO:2.

30. (Once Amended) The isolated polynucleotide of claim 29, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes amino acids 1 to 468 of SEQ ID NO:2.

35. (Once Amended) The isolated polynucleotide of claim [34] 22, wherein said first nucleic acid encodes a polypeptide which binds TNF-related apoptosis-inducing ligand (TRAIL).

36. (Once Amended) The isolated polynucleotide of claim 22, wherein said first nucleic acid encodes a polypeptide which induces apoptosis.

44. (Once Amended) A host cell comprising the isolated polynucleotide of claim 35 [34].

47. (Once Amended) A method of producing a polypeptide encoded by said first nucleic acid, comprising culturing the host cell of claim 44 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

48. (Once Amended) An isolated polynucleotide comprising a first nucleic acid at least 90% identical to a [reference] second nucleic acid encoding amino acids 24 to 238 of SEQ ID NO:2.

49. (Once Amended) The isolated polynucleotide of claim 48, wherein said first nucleic acid is at least 95% identical to said [reference] second nucleic acid.

50. (Once Amended) The isolated polynucleotide of claim 48, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes amino acids 24 to 238 of SEQ ID NO:2.

53. (Once Amended) The isolated polynucleotide of claim [52] 48, wherein said first nucleic acid encodes a polypeptide which binds TRAIL.

64. (Once Amended) A host cell comprising the isolated polynucleotide of claim [52] 53.

67. (Once Amended) A method of producing a polypeptide encoded by said first nucleic acid, comprising culturing the host cell of claim 64 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

68. (Once Amended) An isolated polynucleotide comprising a first nucleic acid at least 90% identical to a [reference] second nucleic acid encoding amino acids 239 to 264 of SEQ ID NO:2.

69. (Once Amended) The isolated polynucleotide of claim 68, wherein said first nucleic acid is at least 95% identical to said [reference] second nucleic acid.

70. (Once Amended) The isolated polynucleotide of claim 68, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes amino acids 239 to 264 of SEQ ID NO:2.

84. (Once Amended) A method of producing a polypeptide encoded by said first nucleic acid, comprising culturing the host cell of claim [82] 80 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

85. (Once Amended) An isolated polynucleotide comprising a first nucleic acid at least 90% identical to a [reference] second nucleic acid encoding amino acids 265 to 468 of SEQ ID NO:2.

86. (Once Amended) The isolated polynucleotide of claim 85, wherein said first nucleic acid is at least 95% identical to said [reference] second nucleic acid.

87. (Once Amended) The isolated polynucleotide of claim 85, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes amino acids 265 to 468 of SEQ ID NO:2.

89. (Once Amended) The isolated polynucleotide of claim 85, wherein a DR4 variant consisting of amino acids 24 to 468 of SEQ ID NO:2, with the exception that amino acids 265-468 of SEQ ID NO:2 are deleted and replaced with a polypeptide encoded by said first nucleic acid, [encodes a polypeptide which] induces apoptosis *in vitro* when over-expressed in human 293 embryonic kidney cells.

101. (Once Amended) A method of producing a polypeptide encoded by said first nucleic acid, comprising culturing the host cell of claim 99 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

102. (Once Amended) An isolated polynucleotide comprising a first nucleic acid at least 90% identical to a [reference] second nucleic acid encoding amino acids 379 to 422 of SEQ ID NO:2;

wherein a DR4 variant consisting of amino acids 24 to 468 of SEQ ID NO:2, with the exception that amino acids 379 to 422 of SEQ ID NO:2 are deleted and replaced with a polypeptide encoded by said first nucleic acid, [said polynucleotide encodes a polypeptide which] induces apoptosis *in vitro* when over-expressed in human 293 embryonic kidney cells.

103. (Once Amended) The isolated polynucleotide of claim 102, wherein said first nucleic acid is at least 95% identical to said [reference] second nucleic acid.

104. (Once Amended) The isolated polynucleotide of claim 102, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes amino acids 379 to 422 of SEQ ID NO:2.

118. (Once Amended) A method of producing a polypeptide encoded by said first nucleic acid, comprising culturing the host cell of claim 113 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

120. (Once Amended) An isolated polynucleotide comprising a first nucleic acid at least 90% identical to a second [reference] nucleic acid encoding the mature amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97853.

121. (Once Amended) The isolated polynucleotide of claim 120, wherein said first nucleic acid is at least 95% identical to said second [reference] nucleic acid.

122. (Once Amended) The isolated polynucleotide of claim 120, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes the mature amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97853.

123. (Once Amended) The isolated polynucleotide of claim 120, wherein said second [reference] nucleic acid encodes the complete amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97853.

124. (Once Amended) The isolated polynucleotide of claim 123, [which comprises a nucleic acid encoding] wherein said first nucleic acid encodes the complete amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97853.

126. (Once Amended) The isolated polynucleotide of claim [125] 120, wherein said first nucleic acid encodes a polypeptide which binds TRAIL.

127. (Once Amended) The isolated polynucleotide of claim 120, wherein said first nucleic acid encodes a polypeptide which induces apoptosis.

135. (Once Amended) A host cell comprising the isolated polynucleotide of claim [125]
126.

138. (Once Amended) A method of producing a polypeptide encoded by said first nucleic acid, comprising culturing the host cell of claim 135 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

156. (Once Amended) A method of producing a polypeptide encoded by said nucleic acid, comprising culturing the host cell of claim 153 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

159. (Once Amended) The isolated polynucleotide of claim 157, [which comprises a nucleic acid encoding] wherein said nucleic acid encodes amino acids 132 to 221 of SEQ ID NO:2.

177. (Once Amended) A method of producing a polypeptide encoded by said nucleic acid, comprising culturing the host cell of claim 174 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

193. (Once Amended) A method of producing a polypeptide encode by said nucleic acid, comprising culturing the host cell of claim 190 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

194. (Once Amended) An isolated polynucleotide comprising a nucleic acid which hybridizes to the complement of nucleotides 88 to 732 of SEQ ID NO:1[, or the complement thereof,] under conditions comprising:

(a) incubating at 42 °C in a solution consisting of 50% formamide, 5x SSC, 50 mM sodium phosphate (pH 7.6), 5x Denhardt's solution, 10% dextran sulfate, and 20 µg/ml denatured, sheared salmon sperm DNA; and

(b) washing at 65 °C in a solution consisting of 0.1x SSC;

wherein a said nucleic acid encodes a polypeptide which binds TRAIL [a TNF ligand].

195. (Once Amended) The isolated polynucleotide of claim 194, wherein said nucleic acid hybridizes to the complement of nucleotides 412 to 681 of SEQ ID NO:1[, or the complement thereof].

208. (Once Amended) A method of producing a polypeptide encoded by said nucleic acid, comprising culturing the host cell of claim 205 under conditions such that said polypeptide is expressed, and recovering said polypeptide.

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 22-33, 35-51, 53, 55-71, 75-81, 84-89, 92-105, 108-114, 118, 120-124, 126-140, 144-152, 156-161, 165-173, 176-195, and 198-208 are pending in the application, with claims 22, 48, 68, 85, 102, 120, 139, 157, 178, and 194 being the independent claims. The Examiner has allowed claims 22, 24-43, 48, 50, 51, 55-63, 68, 70, 71, 75-81, 85, 87, 88, 92-98, 139, 140, 144-152, and 178-191. The Examiner has withdrawn claims 46, 66, 117, 137, 155, 176, 192, and 207 from consideration due to a restriction